

REMARKS

Applicants respectfully request reconsideration of the subject matter identified in caption, pursuant to and consistent with 37 C.F.R. § 1.112, and in light of the remarks which follow.

Claims 20-21, 23-26 and 31-39 are pending in the application.

Applicants thank the Examiner for withdrawing the finality of the rejection mailed July 28, 2008. For at least the reasons that follow, withdrawal of the pending rejections is in order, and all claims in the application are in condition for allowance.

Turning now to the Official Action, Claims 20-21, 23-26 and 31-37 stand rejected on the ground of non-statutory obviousness-double patenting over Claims 1-26 of U.S. Patent No. 7,238,638 or Claims 1-21 of U.S. Patent No. 7,202,192.

In an effort to expedite allowance of the application, Applicants provide the enclosed Terminal Disclaimers to obviate the double-patenting rejections. By filing the enclosed Terminal Disclaimers, Applicants do not, of course, admit to the propriety of the rejections. (See, M.P.E.P. § 804.02 and *Quade Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1991).)

Applicants respectfully request reconsideration and withdrawal of the obviousness-double patenting rejections.

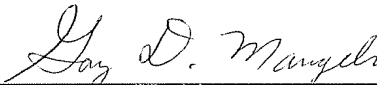
If there are any questions concerning this paper or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: May 15, 2009

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Attachments: Terminal Disclaimer of U.S. Patent No. 7,238,638 and
Terminal Disclaimer for U.S. Patent No. 7,202,192.